



THE ASSAM GAZETTE

অসাধাৰণ EXTRAORDINARY প্রাপ্ত কর্তৃত্বৰ দ্বাৰা প্রকাশিত PUBLISHED BY THE AUTHORITY

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
KARBI ANGLONG AUTONOMOUS COUNCIL DIPHU
KAAC :: SECRETARIAT
DEPARTMENT OF LEGISLATIVE :: DIPHU.

NOTIFICATION

The 15th March, 2021

No.KAAC/LD.355/2019/1572.-

BILL NO.2 OF 2019

THE KARBI ANGLONG AUTONOMOUS DISTRICT COUNCIL (MEMBERS' PENSION) BILL, 2019.

In pursuance to sub-rule (2) of Rule 73 of Assam Autonomous Districts (Constitution of District Councils) Rules, 1951, hereinafter referred to as the “said Rules” as applicable to and amended by the Karbi Anglong Autonomous Council, the following Bill called the “Karbi Anglong Autonomous District Council (Members Pension) Bill, 2019” which after receiving the approval of the Governor of Assam for introduction under sub-rule (3) of the said Rules, is intended to be introduced in the Session of the Karbi Anglong Autonomous Council is hereby published together with the statement of objects and reasons.

A
BILL

to provide for the payment of pensions to all living persons who have served as members of the District Council.

Be it enacted in the Seventy-first Year of the Republic of India as follows:-

1. Short title and commencement - (a) This act may be called the Karbi Anglong Autonomous District (Members' Pension) Act, 2020.

(b) It shall be deemed to have come into force with effect from the 1st of April, 2020.

2. Definitions - In this Act unless the context otherwise requires ,-

(a) "Executive Committee" means the Executive Committee of the Karbi Anglong Autonomous Council;

(b) "Member of District Council" means a member of the Karbi Anglong Autonomous Council;

(c) "terms of office" means the period beginning with the date of publication of the notification of election or nomination as member of the Autonomous District Council and ending with the date on which his or her seat becomes vacant.

3. Pension payable to Members - (1) With effect from the commencement of this Act there shall be paid, out of the Council's own revenue source, a pension @ 50% of the salary paid to the Member of Autonomous Council only per month to every living person who has served as member of District Council and whose term of office is not less than five years whether continuous or not:

Provided that in the event of early holding of elections where any person has served as such member for a period failing short of five years he shall always be deemed to have served for a complete period of five years if such period falls short by not more than three months.

(2) In computing the number of years for the purpose of sub-section (1) the period during which a person has served as Chief Executive Member, Deputy Chief Executive Member, Executive Member, Chairman or Deputy Chairman of the District Council or a leader of opposition of the District Council shall also be taken into account.

4. Pension to be held in abeyance in certain circumstances - Where any person entitled to pension under Section 3,-

(a) is elected to the office of the President or Vice President of India or is appointed to the office of the Governor of any State or the Administration of any Union Territory; or

- (b) becomes a member of the District Council; or
- (c) is employed on a salary under the District Council; or
- (d) becomes member of the state legislative; or
- (e) becomes member of the Parliament;

such person shall not be entitled to any pension under Section 3 for the period during which he continues to hold such office, or continues as such members or is so employed or draws pension from other sources.

5. Power to make rules - (1) The Executive Committee may, by notification, make rules for carrying out the purpose of this Act.

(2) In particular and without prejudices to the generality of the foregoing power, such rules may provide for,-

- (a) the form in which and the authority to which an application for pension shall be made;
- (b) the Certificate to be furnished along with an application for pension;
- (c) the declaration to be made at the time of drawing pension; and
- (d) any other matter necessary for proper implementation and enforcement of the Act.

6. Decision on question relating to pension - If there is any doubt or dispute as to whether a person is entitled to pension or as to the amount of pension or as to the period for which he shall be entitled to pension under this Act, the matter shall be referred to the Executive Committee and its decision shall be final.

STATEMENT OF OBJECTS AND REASONS

Where it was found necessary to provide amenities to all living persons who served as members of the Autonomous District Council by way of payment of fixed monthly pensions and whereas a budgetary provision has been earmarked for the financial year 2019-20.

Hence this Bill.

TULIRAM RONGHANG,
Chief Executive Member,,
Karbi Anglong Autonomous Council,
Diphu.